

IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF DELAWARE

_____	)	
BIOVAIL LABORATORIES	)	
INTERNATIONAL SRL,	)	
	)	
Plaintiff,	)	
	)	C.A. Nos. 05-586 (GMS)
v.	)	05-730 (GMS)
	)	06-620 (GMS)
	)	
ANDRX PHARMACEUTICALS, LLC and	)	CONSOLIDATED
ANDRX CORPORATION,	)	
	)	
Defendants.	)	
_____	)	

**ORDER**

WHEREAS, on May 24, 2007, the court held a *Markman* hearing in the above-captioned consolidated patent action;

WHEREAS, during the course of the hearing, the parties appeared to reach agreement on the construction of several disputed claim terms of the patents-in-suit;<sup>1</sup>

WHEREAS, the court advised the parties to conduct a further meet and confer on their claim construction positions, and to submit to it those terms on which the parties reach agreement;<sup>2</sup> and

WHEREAS, as of the date of this Order, the parties have not made any submission to the court regarding further terms on which they agree;

<sup>1</sup> See, e.g., D.I. 188, at 58:23-59:6.

<sup>2</sup> See *id.* at 59:7-10.

IT IS HEREBY ORDERED that:

1. The parties shall file a joint submission setting forth any further claim terms on which they agree within seven (7) days of the date of this Order.

Dated: June 7, 2007

/s/ Gregory M. Sleet  
UNITED STATES DISTRICT JUDGE